

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
112701-435

In Re Application Of: **Braun et al.**

| Application No. | Filing Date | Examiner | Customer No. | Group Art Unit | Confirmation No. |
|-----------------|-------------------|----------|--------------|----------------|------------------|
| 10/506,727 | September 3, 2004 | Unknown | 29157 | Unknown | Unknown |

Title:

STABILIZING cGMP IN AQUEOUS FORMULATION

Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

37 CFR 1.97(b)

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

OR

☐ the fee set forth in 37 CFR 1.17(p).

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
112701-435

In Re Application: **Braun et al.**

| Application No. | Filing Date | Examiner | Customer No. | Group Art Unit | Confirmation No. |
|-----------------|-------------------|----------|--------------|----------------|------------------|
| 10/506,727 | September 3, 2004 | Unknown | 29157 | Unknown | Unknown |

Title:

STABILIZING cGMP IN AQUEOUS FORMULATION

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 02-1818 as described below.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

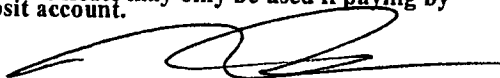
Certificate of Transmission by Facsimile*

| |
|---|
| I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. _____) |
| (Date) _____ |
| Signature _____ |
| Typed or Printed Name of Person Signing Certificate _____ |

Certificate of Mailing by First Class Mail

| |
|--|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ |
| (Date) _____ |
| Signature of Person Mailing Correspondence _____ |
| Typed or Printed Name of Person Mailing Certificate _____ |

*This certificate may only be used if paying by deposit account.


Signature

Dated: October 18, 2004

Robert M. Barrett (30,142)
BELL BOYD & LLOYD LLC
P.O. Box 1135
Chicago, Illinois 60690-1135

cc:

**IN THE UNITED STATES ELECTED/DESIGNATED OFFICE
OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
UNDER THE PATENT COOPERATION TREATY**

Applicants: Braun et al.
Intl. Appl. No.: PCT/EP03/00411
Intl. Filing Date: 16 January 2003
U.S. Serial No.: 10/506,727
U.S. Filing Date: September 3, 2004
Title: STABILIZING cGMP IN AQUEOUS FORMULATION
Docket No.: 112701-435

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 37 C.F.R. 1.97, and 37 C.F.R. 1.98, Applicants request that a citation and examination of the references cited below, and on the attached PTO-1449 form, be made during the course of examination of the above-identified application for United States patent. Pursuant to the Official Gazette Notice dated August 5, 2003, copies of the cited U.S. patents and patent applications are not included as this application was filed after June 30, 2003. However, copies of all other cited references are included with this form.

U.S. PATENT DOCUMENTS

| <u>Document No.</u> | <u>Date</u> | <u>Inventor</u> |
|---------------------|-------------|-----------------|
| 4,975,289 | 12/4/1990 | Ameyama et al. |
| 5,853,704 | 12/29/1998 | Zhang et al. |

FOREIGN PATENT DOCUMENTS

| <u>Document No.</u> | <u>Date</u> | <u>Country</u> |
|---------------------|-------------|----------------|
| 0 575 121 A1 | 22/12/1998 | Europe |

Applicants look forward to early and favorable consideration of this matter.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY 

Robert M. Barrett

Reg. No. 30,142

P.O. Box 1135

Chicago, Illinois 60690-1135

Phone: (312) 807-4204

Dated: October 18, 2004

| | | |
|--|--------------------------------|-----------------------------------|
| INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary) PTO Form 1449 | Atty Docket No. 112701-435 | Application No. PCT/EP03/00411 |
| | Applicant Braun et al. | |
| | Filing Date 16 January 2003 | Group Unknown |

| U.S. PATENT DOCUMENTS | | | | | | | |
|-----------------------|--|-----------------|------------------|----------------|-------|----------|----------------------------|
| Examiner's Initials | | Document Number | Publication Date | Inventor | Class | Subclass | Filing Date If Appropriate |
| | | 4,975,289 | 12/4/1990 | Ameyama et al. | | | |
| | | 5,853,704 | 12/29/1998 | Zhang et al. | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

| FOREIGN PATENT DOCUMENTS | | | | | | | | |
|--------------------------|--|-----------------|------------------|---------|-------|----------|-------------|----|
| Examiner's Initials | | Document Number | Publication Date | Country | Class | Subclass | Translation | |
| | | | | | | | Yes | No |
| | | 0 575 121 A1 | 22/12/1998 | Europe | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

| Examiner's Initials | | OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) |
|---------------------|--|--|
| | | |
| | | |
| | | |
| | | |
| | | |

| | |
|--|------------------|
| Examiner: | Date Considered: |
| *Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |